

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DENNIS A. BANKS, and JANET M. )  
BANKS, )

4:11CV3203

Plaintiffs, )

v. )

**MEMORANDUM  
AND ORDER**

CITIMORTGAGE, INC., and )  
MORTGAGE ELECTRONIC )  
REGISTRATION SYSTEMS, )

Defendants. )

This matter is before the court on its own motion. On May 1, 2012, the court ordered Plaintiffs to show cause why this case should not be dismissed for failure to complete service of process. (Filing No. 8.) On May 3, 2012, Plaintiff Janet Banks filed a Response. (Filing No. 9.) Liberally construed, Banks' Response asks the court to extend the time for her to complete service of process on Defendants. (*Id.*) She states that she has been ill and has suffered some hardships while recovering from cancer. (*Id.*) For good cause shown, Plaintiffs shall have until June 18, 2012, to complete service of process. If Plaintiffs fail to complete service of process by June 18, 2012, this case will be dismissed without further notice. **No further extensions of time to serve Defendants will be permitted.**

IT IS THEREFORE ORDERED that:

1. Fed. R. Civ. Pro. 4 requires service of the complaint on a defendant within 120 days of filing the complaint. However, on the court's own motion, Plaintiffs shall have until June 18, 2012, to complete service of process. **No further extensions of time to serve Defendants will be permitted.**

2. In the event that Plaintiffs fail to complete service of process on Defendants by June 18, 2012, this matter will be dismissed without prejudice and without further notice.

3. The Clerk of Court is directed to set a pro se case management deadline in this case with the following text: "June 18, 2012: Check for completion of service of summons and dismiss if not completed"

4. The parties are bound by the Federal Rules of Civil Procedure and by the Local Rules of this court. Plaintiffs shall keep the court informed of their current address at all times while this case is pending. Failure to do so may result in dismissal.

DATED this 16<sup>th</sup> day of May, 2012.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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